

The Leveson Inquiry

Witness Statement for Part 1 Module 2

---

WITNESS STATEMENT OF ALEXANDER TRIBICK

---

I, Alexander Tribick, a Partner at W.H. Matthews & Co Solicitors, 31 Church Street, Staines, Middlesex, TW18 4EN, will say as follows:

1. I am a solicitor specialising in criminal law and have practised in this field for 13 years.
2. Since 2002 I have represented Mr Colin Stagg in his case against the MPS for wrongful prosecution following the murder of Rachel Nickell on Wimbledon Common on 15 July 1992. The circumstances of Mr Stagg's arrest and charge are matters of public record which, whilst I will not rehearse the details here, in summary are as follows.
3. On 17 August 1993 Mr Stagg was arrested and falsely charged with the murder following a covert police operation known as 'Operation Ezzell' in which an undercover MPS policewoman contacted Mr Stagg and over a period of five months attempted to obtain information from him by feigning romantic interest. When it reached the Old Bailey the case against Mr Stagg was thrown out by the Judge who ruled that the police had shown "*excessive zeal*" in trying to incriminate Mr Stagg "*by deceptive conduct of the grossest kind*". Mr Stagg was formally acquitted in September 1994.
4. In 2007, Robert Napper, a paranoid schizophrenic and convicted sex killer who had by then been held at Broadmoor for 10 years for the murder of a woman and her child in 1993, was charged with Ms Nickell's murder. In December 2008 Napper pleaded guilty to manslaughter on the grounds of diminished responsibility. Mr Justice Griffith Williams ruled that Napper

would be held at Broadmoor indefinitely. At the same time, Mr Stagg received a public apology from the police. In August 2008 he was awarded £706,000 for the Miscarriage of Justice which he had suffered.

MPS leaks to the press

5. During the years in which I represented Mr Stagg in his Miscarriage of Justice case, which I stress came a long time after his formal acquittal in 1994, it became extremely obvious that the MPS were leaking information about the murder investigation and/or Mr Stagg to elements of the press and in particular to *The Daily Mail*. Some of the examples of this are as follows.

- (i) On 6 September 2003 *The Daily Mail* published the article by Stephen Wright at pages 1 and 2 of AT 1 entitled: "*Hope of DNA breakthrough in search for Rachel's killer*" revealing that detectives had made a potentially vital breakthrough in their hunt for Ms Nickell's killer in that forensic experts had found a DNA sample "*which could belong to the man who murdered [her]*". This article was the first that I or Mr Stagg or the public knew of this development. I was told by Ted Hynds, a veteran investigative journalist of 45 years, that he had made enquiries as to whether the police had leaked this information to *The Daily Mail* and that he had established that they had.
- (ii) On 3 March 2004 *The Daily Mail* published the article at page 3 of AT 1 entitled: "*Police 'refuse' Stagg DNA Test*". The information in this article could only have come from the MPS in my belief. It followed attempts by Mr Stagg to procure the MPS's agreement to take a DNA sample from him. Whilst Mr Stagg's requests in this regard were at first refused, eventually, on 2 March 2004 I obtained the agreement of Detective Chief Inspector Harper at Wimbledon Police station (the senior officer in the case) to allow Mr Stagg to attend the next day for a DNA sample to be taken. When we arrived on 3 March Mr Harper informed Mr Stagg that the MPS

was refusing to take any samples and when we left the station the media were already outside. I was greeted by a Sky News outside broadcast team, fronted by their anchor man Martin Brunt and asked to make a statement on behalf of Mr Stagg. Sky knew that we had arranged to attend the station for the police to take a DNA sample from Mr Stagg, information which could only have come from the police.

(iii) On 10 January 2007 *The Daily Mail* published the article by Stephen Wright at pages 4 and 5 of AT 1 entitled: "*Colin Stagg awarded £250,000 compensation*". The information in that article could only have come from inside the MPS or the Home Office. The article preceded by three days the formal notification that I received from the Home Office of the compensation decision. The first I knew of the compensation decision was when a reporter from *The Times* called me at home on my mobile before the start of the working day on 10 January asking for my reaction to the news (which I believe he must have read in the first editions of *The Daily Mail*). I did not know exactly what he was talking about but assumed it was in connection with Mr Stagg's case, and had to say that I would call him back once in the office. It was some considerable time later I received notification of the compensation decision from the Home Office.

6. I believe there was an overly close relationship between the police and the press in relation to Mr Stagg and the inappropriate leaking of information about the murder investigation has had the effect of repeatedly undermining Mr Stagg's efforts to clear his name by placing him on the back foot in informational terms. Leaks to *The Daily Mail* also provided a constant flow of information upon which that newspaper has pegged false and unfounded associations of guilt in my belief. It is clear from the level of award made by Lord Brennan, the independent assessor that made the compensation award to Mr Stagg, who described the MPC behaviour as egregious, that the treatment of Mr Stagg by certain sections of the media, probably fuelled by information

from the MPC, played a significant part in the public opprobrium held for the best part of 20 years after his acquittal, that Mr Stagg was the man who got away with murder.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Dated the..... day of March 2012

.....